

# CENTRAL OIL AND MINING CORPORATION

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MAXWELL BENTLEY  
PRESIDENT

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SECRETARY-TREASURER

June 21, 1978

Division of Oil, Gas, and Mining  
1588 West North Temple  
Salt Lake City, Utah 84116

Attention: K. Michael Thompson

Gentlemen:

Receipt is acknowledged of your letter dated June 6, 1978 wherein you informed our company that Messrs. Thompson and Smith visited the Delta Mine on May 9, 1978 and observed that the operator was actively mining. Your letter also mentioned that the division had not given approval to the "Notice of Intention," and surety had not been collected. Your letter further stated, "However, the operator has shown diligence in trying to comply with the requirements of the Division."

In view of the fact that the existing applicable statutes require that before any mining operations shall be commenced a notice of intention with reclamation plan be filed with and approved by the board and surety given, and the division is fully aware that mining operations were started and continued prior to compliance with the statute, I am asking for clarification of your above quoted statement regarding diligence shown in trying to comply with the requirements of the division. Does this mean that the division can and is waiving the statutory requirements before operations can be commenced and continued, and, if so, under what conditions?

As owner of the subject property request is made for a copy of the surety given to the division and the agreement pertaining to same. Inasmuch as the property consists of unpatented claims on the public domain, what liability, if any, may accrue to the owner if the lessee-operator fails to comply with the reclamation plan or/and if the surety is insufficient to suitably restore the surface area?

Our company will appreciate copies of the tentative approval and the condensed version to be published mentioned in your June 6th letter. Your reply to this letter will be appreciated.

Yours truly,

*Maxwell Bentley*  
Maxwell Bentley  
President

